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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUXPRO CORPORATION, a Taiwanese
corporation,

Plaintiff,

v.

APPLE INC., f/k/a Apple Computer, Inc.,

Defendant.

Case No. 3:10-cv-03058-JSW

**PLAINTIFF LUXPRO
CORPORATION'S ADDITIONAL
AUTHORITIES IN OPPOSITION TO
THE MOTION TO DISMISS THE THIRD
AMENDED COMPLAINT**

Date: July 22, 2011

Time: 9:00 a.m.

Ctrm: 11

Judge: Hon. Jeffrey S. White

Pursuant to this Court's Notice of Tentative Ruling and Questions for Hearing, dated July 18, 2011 (Doc. No. 187), Plaintiff Luxpro Corporation ("Plaintiff") respectfully submits the following additional authorities in further support of its opposition to Defendant Apple Inc.'s Motion to Dismiss the Third Amended Complaint:

- *Great-West Life & Annuity Ins. Co. v. Knudson*, 534 U.S. 204, 212-18 (2002).
- *Healthpoint, LTD v. Ethex Corp.*, No. SA-01-CA-646-OG, 2004 WL 2359420, at *7-*16 (W.D. Tex. July 14, 2004).
- *PennPac Int'l, Inc. v. Rotonics Mfg., Inc.*, No. CIV. A. 99-CV-2890, 2001 WL 569264, at *2-*3, *9-*10 (E.D. Pa. May 25, 2001).
- *Alexander Bincel Corp. v. Nu-Tecsys Corp.*, No. 91 C 2092, 2000 WL 310304, at *2, *4-*7 (N.D. Ill. Mar. 24, 2000).
- *Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 789 (2010).
- *Troyk v. Farmers Group, Inc.*, 171 Cal. App. 4th 1305, 1338-40 (2009).
- *Shersher v. Superior Court*, 154 Cal. App. 4th 1491, 1499-1500 (2007).
- *Overstock.com, Inc. v. Gradient Analytics, Inc.*, 151 Cal. App. 4th 688, 716 (2007).

Plaintiff will have copies of the above additional authorities available at the hearing on July 22, 2011.

Dated: July 20, 2011

Respectfully submitted,

/s/ Mario M. Choi

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PROOF OF SERVICE

I, Kristen M. Weiland, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome Street, Suite 400, San Francisco, California 94104.

On July 20, 2011, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Mario M. Choi to file the following document:

PLAINTIFF LUXPRO CORPORATION'S ADDITIONAL AUTHORITIES IN OPPOSITION TO DISMISS THE THIRD AMENDED COMPLAINT

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service. The parties served by e-mail in this case are found on the Court's Electronic Mail Notice List. The following are those who are currently on the list to receive e-mail notices for this case.

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9 I further certify that on July 20, 2011, I served the same document by U.S. Postal service on the
10 following, who is not a registered participant of the ECF system in this case:

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12 Kevin A. Crass
13 Friday Eldredge & Clark LLP - Little Rock
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17 ☒ (U.S. MAIL) I placed the sealed envelope(s) for collection and mailing by following
18 ordinary business practices of Kaplan Fox & Kilsheimer LLP. I am readily familiar with Kaplan
19 Fox & Kilsheimer LLP's practice for collecting and processing of correspondence for mailing with
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21 correspondence with postage fully prepaid is deposited with the United States Postal Service the
22 same day as it is placed for collection.

23 I declare under penalty of perjury under the laws of the United States of America and the State of
24 California that the foregoing is true and correct.

25 Executed July 20, 2011 at San Francisco, California.

26 /s/Kristen M. Weiland

27
28 Kristen M. Weiland